

PATENT Customer No. 22,852 Attorney Docket No. 02481.1776-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re A	Application of:)		RE(Œ	IVED
Paul HABERMANN))) Group Art l	Jnit: 1645	NOV	0 8	2002
Application No.: 10/076,632)) Examiner:	Unknown	TECH CEN	TER	1600/290
Filed:	February 19, 2002))				
For:	NUCLEIC ACIDS, PROTEINS, AND PROCESSES THEREOF SUCH AS USE OF FUSION PROTEINS WHOSE N-TERMINAL PART IS A HIRUDIN DERIVATIVE FOR THE PRODUCTION OF RECOMBINANT PROTEINS VIA SECRETION BY YEASTS))))))				-

Commissioner for Patents Washington, DC 20231

Sir:

STATEMENT UNDER 37 C.F.R. § 1.97(b)

Further to the Information Disclosure Statement filed September 13, 2002, and pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for this application. Copies of the listed documents are attached.

FINNEGAN HENDERSON FARABOW GARRETT & DUNNER LLP

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U.S. Application No. 10/076,632 Attorney Docket No. 02481.1776-00000

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

By:

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: November 7, 2002

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OMB No. 0651-0011

INFORMATION DISCLOSURE CITATION

Atty. Docket	6.7RA029 81.1776-00	Appln. No.	10/076,632	
Applicant	Paul HABERMANN			RECEIVED
Filing Date	February 19, 2002	Group:	1645	NOV 0 8 2002

U.S. PATENT DOCUMENTS				IEUF	I CENTER 1600/	
Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	5,677,172	10/1997	MAKAROW			
						

	FOREIGN PATE	NT DOCUMENT	S	•	
Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
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	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)				
	Thim et al., "Secretion and Processing of Insulin Precursors in Yeast," <u>Proc. Natl. Acad. Sci.</u> , 83: 6766-6770 (1986).				
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Examiner		Date Considered
		ot citation is in conformance with MPEP 609; draw line not considered. Include copy of this form with next
Form PTO 144	Patent and	Trademark Office - U.S. Department of Commerce